

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)
Henry Graf)
Application No.: NEW)
Filed: NEW)
INTERVERTEBRAL STABILIZING)
DEVICE)

INFORMATION DISCLOSURE STATEMENT

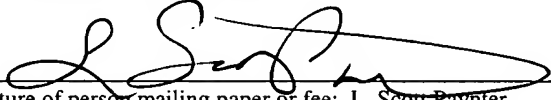
Commissioner for Patents
Alexandria, VA 22313

Sir:

Pursuant to the duty of disclosure embodied in 37 C.F.R. § 1.56, Applicant wishes to bring to the attention of the Examiner the item of information listed on the enclosed Information Disclosure Citation form. This information has not been previously submitted in this application, and has not been heretofore cited by the Examiner. A copy of the cited item is enclosed in accordance with 37 C. F. R. §1.98.

Express Mail Label No.: EV 394104535 US Date of Deposit: January 16, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

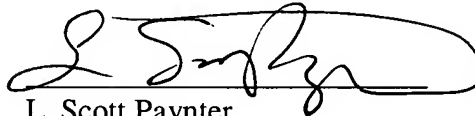

Signature of person mailing paper or fee: L. Scott Paynter

A copy of the International Search Report for the corresponding PCT application is enclosed herewith to provide a concise statement of the materiality of any references that are in a language other than English. Also enclosed is a copy of a purported English language translation of International Patent Application No. PCT/FR01/02098 filed 29 June 2001 (publication number WO 02/00124A1).

The filing of this Information Disclosure Statement (IDS) shall not be construed as an admission that the information cited is or is considered to be prior art or material to patentability as defined in § 1.56(b).

This Statement is being submitted under 37 CFR 1.97(b) before the occurrence of one or more of the following: (a) receipt of a First Office Action on the merits, (b) passage of three (3) months from the application filing date, or passage of three (3) months from the date of entry of the national stage. Accordingly, it is believed that no fee is due. However, should any fee be required, please charge such fee to Deposit Account No. 23-3030, but not to include any payment of issue fees.

Respectfully submitted:



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Substitute for form 1449A/PTO 004002-003469.LSP.260462 INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	NEW
				Filing Date	16 January 2004
				First Named Inventor	HENRY GRAF
				Group Art Unit	UNKNOWN
				Examiner Name	UNKNOWN
				Attorney Docket Number	4002-3469
Sheet	1	of	1		

[illegible]

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
		EP 0 897 697 A	02/24/99			
		WO 95 35067 A	12/28/95			
		WO 99 05968 A	02/11/99			
		WO 02 00124 A	01/03/02			T

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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